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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,098	07/27/2000	Khai Hee Kwan		3200

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EXAMINER

HAVAN, THU THAO

ART UNIT PAPER NUMBER

3624

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,098

Applicant(s)

KWAN, KHAI HEE

Examiner

Thu Thao Haven

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 9 and 21-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 9 and 21-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Response to Amendment

Claims 1-6, 8-9, and 21-32 are pending. This action is in response to the amendment received July 15, 2005.

Response to Arguments

Applicant's arguments with respect to claims 1-6, 8-9, and 21-32 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

The Examiner accepts the drawings filed on July 27, 2000.

Specification

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: Applicant is advised that a large number of grammatical mistakes abound in the specification. For example, page 2, lines 15-19 contain grammatical errors and in page 7, line 20 (specifically the word "focussed"). In addition, there are more grammatical errors and misspelled. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 1, the phrase "might be" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "might be"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **1-6, 8-9, and 21-32** are rejected under 35 U.S.C. 102(e) as being anticipated by Louie et al. (US 2001/0054022).

Re claim 1, Louie teaches a method operative at a server for negotiating and managing loan syndication over a network (figs. 1 and 4-5), comprising the steps of:
receiving a request to originate a loan facility (para. 0005 and 0045);
negotiating over a network from which a loan facility might be agreed with potential lenders (para. 0018); and

adapting at least negotiated terms of loan to be incorporated in said loan facility (para. 0030). *In other words, Louie discloses a loan syndication system operates in a network. His system coordinates investors, borrowers, and resource information according to a syndicated loan. He discloses a loan syndication tracking and management system that provides a user to access specific details related to a syndicated loan. In that the lenders or investors have access to a number of financial resources such as negotiable instruments suitable for allocation to a borrower loan.*

Re claim 2, Louie teaches anonymize identities of the final borrower and potential lenders at their discretion (para. 0090-0091). *In other words, it is up to a borrower and lender to disclose their identity as indicates by Louie.*

Re claims 3 and 23, Louie teaches a feedback routine (para. 0094-0095). *In Louie, input message corresponds to a feedback routine.*

Re claim 4, Louie teaches receiving acceptance by final borrower and creating loan facility (para. 0034 and 0038-0039). (Further note, please clarify “by final borrower”).

Re claims 5 and 22, Louie teaches an auction routine for potential lenders to place loan commitment bids (para. 0010). *Louie teaches auction when he discloses the step of evaluating the interests of borrowers to provide an attraction package for the two parties.*

Re claim 6, Louie teaches potential lenders to post their lending requirements (para. 0047).

Re claim 8, Louie teaches aggregating commitments from more than one potential lender and whereby each commitment relates to different portion of said loan (para.0006).

Re claims 9 and 24-32, Louie teaches a step to manage loan facility (para. 0018 and 0010; figs. 1). *Louie teaches a lead lender manages for the loan. Furthermore, in figure 1, Louie discloses a network.*

Re claim 21, Louie teaches an apparatus for syndicating a loan (abstract), comprising:

a programmed computer (fig. 1), further comprising:

a memory having at least one region for storing executable program code (para. 0026-0027; fig. 1); and

a processor for executing the program code stored in the memory, wherein the program code (para. 0025 and 0027), further comprising:

code to receive a loan origination request (para. 0005 and 0045);

code to accept a plurality of potential lender's commitments (para. 0017 and 0006);

code to aggregate said commitments (para. 0018); and

whereby each commitment relates to different portion of said loan (para. 0018).

In other words, Louie discloses a loan syndication system. In figure 1, he discloses loan syndication system operates in a network consisting of database, a programmed computer, memory, and processor. His system coordinates investors, borrowers, and resource information according to a syndicated loan. He discloses a loan syndication

tracking and management system that provides a user to access specific details related to a syndicated loan. In that, the lenders or investors have access to a number of financial resources such as negotiable instruments suitable for allocation to a borrower loan.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Srinivasan, US patent no. 2002/0116327, teaches syndication of financial obligations;

Cossette, US patent no. 6,920,434, teaches a loan participation network; and

Wallman, US 2004/0024679, is directed to diversification and risk limits.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the

Art Unit: 3624

Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH
10/07/2005

A handwritten signature in black ink, appearing to read "Vincent Millin".

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600